

EXHIBIT J

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

YELLOWCAKE, INC.,
a California corporation,

Plaintiff,

v.

Case No:

HYPHY MUSIC, INC.,

1:20-CV-00988-DAD-BAM

Defendant.

DEPOSITION

WITNESS: Alfonso Vargas

DATE: Tuesday, December 6, 2022

START TIME: 1:18 p.m.

END TIME: 5:05 p.m.

REPORTER: Shenay Crawford, Digital Reporter

JOB NO.: 13845



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1 MR. BERMAN: Yes, can you please mark it
2 as Plaintiffs Exhibit A.

3 THE REPORTER: I'm sorry, as Plaintiff's?

4 MR. BERMAN: Exhibit A.

5 THE REPORTER: Okay. Will do.

6 (Exhibit A marked for identification.)

7 BY MR. BERMAN:

8 Q Mr. Vargas, is this your signature on the
9 second page of the agreement?

10 A Yeah.

11 Q And did you sign this agreement on March 22nd,
12 2022?

13 A Yeah.

14 Q All right. And where were you when you signed
15 this agreement?

16 A I believe we were here in the offices of
17 Hyphy.

18 Q And who, if anybody else, was in the office at
19 the time that you signed this agreement?

20 A Me, Domingo Torres, and the people here from
21 the office.

22 Q The people in the office you're referring to,
23 who are they?

24 A Jose and his assistant.

25 Q Are you referring to Jose Martinez?

1 A Yes.

2 Q Okay. And what do you understand the purpose
3 of this agreement to be?

4 A Well, I believe this would be the agreement
5 that we -- that you're sharing them -- that -- the deal
6 that we had verbally talked about with the records that
7 were going to be handled by Hyphy and Morena.

8 Q Did you read this agreement before you signed
9 it?

10 A Not all of it. But we -- you know, we talked
11 about it and we knew all the agreements that we had
12 originally done.

13 Q Okay. And were you represented by counsel
14 when you signed this agreement?

15 A No.

16 Q So you -- just to be clear for the record, you
17 never had an attorney read this agreement?

18 A Did I do what?

19 Q You never retained an attorney to read this
20 agreement for you?

21 A No.

22 Q And you never had an attorney explain the
23 agreement to you?

24 A No.

25 Q Okay. And why did you sign this agreement?

1 A Well, because that's when we found out that
2 Jesus Chavez was going -- how should I say it? He was
3 doing stuff that you shouldn't be doing with those
4 records. And there was a -- this ongoing problem
5 because the Hyphy has some of those records. And we
6 came here to ask them if they would support us, to
7 sign -- you know, if we could work a deal to record new
8 albums. You know, since we were going to be working
9 without Jesus Chavez because Jesus Chavez can't sing no
10 more.

11 And we wanted to maybe come to some sort of
12 agreement with new CDs. So when we came here to Hyphy
13 to ask them if they wanted to help us out, you know,
14 with the deal -- recording deal, that's when they told
15 us about all this nonsense is going around right now
16 with Jesus Chavez doing this illegal sales of those
17 records. And we -- going back on our original deals
18 with these records with Morena and Hyphy Music.

19 Q All right. So just to be clear, so you sign
20 this agreement because you came to an understanding with
21 Hyphy Music that you and the band that you perform with
22 would potentially release new music with Hyphy Music?
23 Is that right?

24 MR. BEGAKIS: Objection. Misstates the
25 witness' prior testimony. Assumes facts not in

1 evidence. Vague.

2 MR. BERMAN: Over his objection, you can
3 answer.

4 THE WITNESS: Well, yeah, we came here to
5 ask Hyphy if they would do some sort of deal -- work
6 some sort of deal with us, with our -- you know, we
7 wanted -- we were going to continue working as Los
8 Originales de San Juan. Obviously, Chewy -- Jesus
9 Chavez cannot be in the band because he can't sing. He
10 could -- you know, he's really sick.

11 And so we wanted to continue and we
12 needed a recording company to help us out. So -- so
13 we've been -- we worked with this company before, so we
14 came over here to ask for their support and see if they
15 could help us out. You know, recording some more new
16 albums. And when we came here, then that's when we
17 found out about all this mess.

18 BY MR. BERMAN:

19 Q And then, so Mr. Martinez said that he would
20 help you out if you sign this agreement?

21 A No. He didn't -- he didn't exactly say that.
22 You know, he told me what the problem is. And I said,
23 okay, well, we got to fix this. And so that's why we
24 started all this. You know, part of fixing this right,
25 like it's supposed to be, is for me and Domingo Torres

1 to clarify that we had a deal with Morena and Hyphy
2 Music with those CDs.

3 Q Is that what you think this agreement says?

4 A Yeah. That's what we're clarifying. We're --
5 I don't know how -- exact the word to say that, that me
6 and Domingo agree that we did have an agreement with
7 Morena and Hyphy Music with all those recorded CDs.

8 Q Okay. So just to be clear, you came to Hyphy
9 Music of your own accord and told Mr. Martinez that you
10 would be continuing with Mr. Torres to perform as Los
11 Originales de San Juan without Mr. Chavez; is that
12 correct?

13 A Yes.

14 Q Okay. And that you went to Mr. Martinez and
15 Hyphy Music with intention of hopefully negotiating some
16 sort of agreement whereby Hyphy Music would release new
17 albums for Los Originales de San Juan without Mr.
18 Chavez, correct?

19 A Yeah. I mean, Mr. Chavez doesn't agree with
20 what we're doing, because he wants his son to be in the
21 band, and we don't want his son.

22 Q Okay. And it says here that you signed this
23 agreement and received a dollar in exchange for signing
24 this agreement; would you agree with that?

25 A Yeah. That's what it says.

